THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.3545 OF 2006

DATED: 23-01-2007

BETWEEN

Sri C. Shashi Kumar, S/o. C. Sreeramulu,
R/o. Sy.No.104, Gadi Bowli, Devotan Bazar,
Machabollaram, Secunderabad.

...PETITIONER

AND

Commissioner of Police, Government of A.P.,
Lakdi-Ka-pool, Hyderabad and others.

...RESPONDENTS

ORDER:

This writ petition has been filed seeking a Writ of Mandamus to declare the action of the respondents 1 to 4 in not taking action against the respondents 5 to 8 on the complaint made by the petitioner dated 08.02.2006 and again on 15.02.2006 as illegal and arbitrary and to direct them to register a case against the respondents 5 to 8.

2. Counter has been filed by the fourth respondent stating that the complaints lodged by the petitioner dated 08.02.2006 and 15.02.2006 were entered in the General Diary. The petitioner lodged a fresh complaint on 24.02.2006, based on which a case in Cr.No.27 of 2006 was registered for the offence under Sections 447 and 506 of the Indian Penal Code, 1860 and investigation was taken up.

3. In view of the fact that the investigation has already been taken up, no orders are required to be passed in the writ petition. At this stage, the learned counsel for the petitioner submits that he has also made a request to

provide police protection and therefore, he may be permitted to amend the writ prayer, which submission I am not inclined to accept, as it is always open to the petitioner to file a fresh writ petition seeking appropriate relief.

The writ petition is accordingly dismissed. There shall be no order as to costs.

_____

V. ESWARAIAH, J

January 23, 2007
DSK